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500.34077CC3 / E2063-04EN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

MAKI, et al.

Serial No .:

09/900,144

Filed:

July 9, 2001

For:

OPTICAL SYSTEM FOR MEASURING METABOLISM IN

A BODY AND IMAGING METHOD

Group:

3737

Examiner:

E. Mercader

Conf. No.:

6500

REQUEST FOR CONSIDERATION OF OUTSTANDING INFORMATION DISCLOSURE STATEMENT ISSUES

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

10 April 2006

Sir:

In the matter of the above-identified application, Applicant respectfully requests Examiner's consideration of the following outstanding IDS issues:

Provided herewith are copies of pages of Forms PTO-1449 and/or SB/08 from Applicant's recent 22 February 2006 IDS and 02 March 2006 IDS, as well as USPTO-date-stamped return receipt postcards evidencing the filing of such IDSs. The Examiner has **NOT** yet initialed off on consideration of such references. Copies of appropriate ones of the listed references were previously provided with the original filings of the IDSs. Examiner initialing with respect to such references is respectfully requested.

Provided herewith is a copy of two (2) pages of Forms PTO-1449 from

Applicant's 09 July 2001 IDS. Regarding the <u>first 1449 page</u> (totally filled with reference citations), the Examiner has previously initialed off on consideration of such references, but final review of the file for this application has revealed three (3) typographical errors in reference numbers. The provided duplicate copy of the initialed 1449 sheet shows hand-marked and circled corrections. Examiner re-initialing with respect to the corrected references is respectfully requested. Regarding the <u>second 1449 page</u>, the Examiner has <u>NOT</u> yet initialed off on consideration of such references.

Copies of the correct listed references were previously provided with the original 09 July 2001 filing of the IDS. Examiner initialing with respect to such references is respectfully requested.

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Enclosed is an SB/08 form listing several references found to be references equivalents of references having already been previously considered (i.e., Examiner initialed off on) and/or previously submitted. More particularly, listed reference US 5,517,987 is an equivalent of JP-A-07-049304 (already initialed), and JP-A-7-507472 (copy enclosed) is an equivalent of WO 93/25141 (already initialed). Listed reference JP-A-04-502118 (copy enclosed) is an equivalent of US 6,210,346 (already submitted). Examiner initialing with respect to such references is respectfully requested.

Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case No. 500.34077CC3), and please credit any excess fees to such deposit

account.

Respectfully submitted,

A

ANTONELLI, TERRY, STOUT & KRAUS, LLP

Showwarsh

Paul J. Skwierawski Registration No. 32,173

PJS/ (703) 312-6600

Attachments:

Copy of PTO-1449 from 22 February 2006 IDS (copy of postcard receipt) Copy of PTO-1449 from 02 March 2006 IDS (copy of postcard receipt) Page 1 (hand-corrected) of Form PTO-1449 for 09 July 2001 IDS Page 2 of Form PTO-1449 for 09 July 2001 IDS SB/08 form (listing US 5,517,987 and JP-A-7-507472) Copy of JP-A-7-507472 Copy of JP-A-04-502118

Sheet 1 of 1

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DKT. NO. SERIAL NO. 500.34077CC3 09/900,144				
ION DISCLOSURE STATEMENT	APPLICANT MAKI, et al.				
se several sheets if necessary)	FILING DATE July 9, 2001	GROUP 3737			
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U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date
AA	6,210,346 4-3-01		Hall, et al.			
AB	5,137,355	8-11-92	Barbour, et al.			
AC						
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FOREIGN PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Country	Class	Subclass	Translation /Abstract		
							Yes	No	
I A	AM	5-103774	4-27-93	Japan			X		
1	AN	5-86304	11-22-93	Japan			X		
1	AO	94/10901	5-26-94	WO			X		
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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Applicant(s) MAKI, et al.	
Papers Filed Herewith onFebruary	22, 2006
Receipt is hereby acknowledged of the papers in connection with the above-identified applica	ition:
New Application Transmittal Form	Credit Card Payment Form
Pages of Specification (claims) Sheets of Drawings	Fees \$_180.00
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Claim for Priority	Petition for Extension of Time (mos.) Information Disclosure Statement
☐ Assignment Papers FEB 2 2 2006	XI PTO-1449 XI Copies of References
	Revised Drawings (sheets) Notice of Appeal
□ Other	

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Form PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE PADE	ATTY. DKT. NO. 500.34077CC3	SERIAL NO. 09/900,144
INFORMAT	TION DISCLOSURE STATEMENT	APPLICANT MAKI, et al.	
(BY APPLICANT Use several sheets if necessary)	FILING DATE July 9, 2001	GROUP 3737

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date
AA	4,736,751	04-1998	Gevins, et al.			
AB	5,321,265	06-1994	M. Block			
AC	5,396,571	03-1995	Saadatmanesh, et al.			
AD	5,291,888	03-1994	D. Tucker			
AE	5,954,053	09-1999	Chance, et al.			
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FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Country	Class	Subclass	Translation /Abstract		
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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Patent Dkt. No. <u>500.34077CC3</u>	_ Attorney Initials PJS
Application No. 09/900,144	Filing Date <u>July 9, 2001</u>
Applicant(s) MAKI, et a	<u> </u>
Papers Filed Herewith onMarc	ch 2, 2006
Receipt is hereby acknowledged of the pap in connection with the above-identified app	ers filed as indicated by the checked items lication:
☐ New Application Transmittal Form	X Credit Card Payment Form
Pages of Specification (claims)	Fees \$ 180.00
Sheets of Drawings	□ Amendment
□ Declaration (pages) OIP €	☐ Response to Office Action
☐ Fee Transmittal Form	☐ Petition for Extension of Time (mos.)
☐ Claim for Priority / NAP A	☑ Information Disclosure Statement - Supp1
Priority Documents MAR 0 2 2006	☑ PTO-1449 ☐ Copies of References
□ Assignment Papers □ Issue Fee Transmitta	☐ Revised Drawings (sheets)
☐ Issue Fee Transmitta	☐ Notice of Appeal
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U.S. Department of Commerce Patent and Trademark Office

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use several sheets if necessary)

ATTY. DOCKET NO. 500.34077CC3

SERIAL NO.

§53(b) of 09/203,610

APPLICANTS

Atsushi MAKI et al.

FILING DATE 6 July 2001 GROUP Unassigned

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EXAMINER INITIAL			DOC	JMENT N	UMBER			DATE	NAME _	CLASS	SUBCLASS	l .	G DATE IF OPRIATE
- Sto	5	5	5	1	4_	2	2	09/96	Simonsen et al.	\			
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		5	8	0	3	9	0	9	09/98	Maki et al.	<u> </u>				
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Approved for use through 07/31/2006. OMB 0651-0031
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Reservork Reduction 460 of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Substitute for form 14

Application Number 09/900,144

Filing Date 7/9/2001

First Named Inventor MAKI, et al.

Art Unit 3737

Examiner Name E. Mercader

Sheet 1 of 1 Attorney Docket Number 500.34077CC3

			U.S. PATENT I	OCUMENTS	
Examiner Initials'	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 5,517,987	05-21-1996	Tsuchiya	
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FOREIGN PATENT DOCUMENTS								
Examiner Initials'	Cite No. ¹	Foreign Patent Document Country Code 3-Number 4-Kind Code 5 (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶		
		JP 7-507472	08-24-95					
		JP 4-502118	04-16-92					
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Examiner		Date	
Signature		Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.